

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 7

Phoenix Division

MDL 15-2641-PHX-DGC

DATE: 3/23/2018

Year Case No Initials

Title: IN RE: Bard IVC Filters Products Liability Litigation

HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Elaine Cropper

Court Reporter

APPEARANCES:

Ramon Lopez, Mark O'Connor, Julia Reed-Zaic, Robin Lourie, Hadley
Matarazzo, Joe Johnson

Attorney(s) for Plaintiff(s)

Richard North, James Condo, Elizabeth Helm, Greg Dadika

Attorney(s) for Defendant(s)

PROCEEDINGS: X Jury Trial Day 7

1st Bellwether Trial -Plaintiff Sherr-Una Booker

8:30 Court in session. Parties are present. Plaintiff objection to exhibit 5325 discussed. Parties to discuss and work out. Plaintiff Sherr-Una Booker testimony discussed. Plaintiff request the Court explain to jury the lack of an FDA witness for trial. Plaintiff objections to powerpoint presentation to be used with witness Dr. Donna-Bea Tillman discussed. Portions of the powerpoint may be used as stated on the record. Defendant motion for Rule 50 will be preserved at the end of plaintiff case. 9:05 Jury present. Dr. Frederick Rogers video deposition continues. 9:14 Plaintiff rest. Defendant Rule 50 preserved. 9:14 Defense case begins. Dr. Donna-Bea Tillman sworn and examined. Exhibit 7930,7929,7928 demonstrative only, displayed, not admitted. Exhibit 5877 admitted. 10:30 Court in recess.

10:46 Court in session. Parties are present. Jury present. Dr. Donna-Bea Tillman examination continues. Exhibit 6064,6061 admitted subject to redactions after plaintiff reviews for heresay within heresay. Exhibit 5339,5353,5362 admitted. 12:00 Jury excused. 12:01 Court in recess.

12:55 Court in session. Parties are present. Exhibits 5126, 7753,7758,7795 discussed. Court rules admissible. 1:00 Jury present. Exhibits 5126,7753,7758,7795 admitted. 1:01 Dr. Donna-Bea Tillman examination continues.

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Day 7 Jury Trial

1:48 Shari Allen O'Quinn sworn and examined. Exhibits 5189,5177,5169, 5197, 5534,5196,5195,5001,5247,5238 admitted. 5169, 5189,5196,5195 subject to redactions after discussion of the parties. 2:30 Jury excused. Exhibit 5238 argued. 2:33 Court in recess.

2:47 Court in session. Parties present. Jury present. Shari Allen O'Quinn examination continues. Exhibit 5239,5003,5193,5349,5350,5354,5325 admitted subject to redactions after discussion of parties. Exhibit 5905,495,5344,5361,5324,5323,5333, 5881,5539,5880,5879,6046 admitted. 4:26 Jury excused until 9:00 a.m. on 3/26/2018. 4:27 Parties to discuss over the weekend and address on 3/26/2018 at 8:30 a.m. the following exhibits for possible redactions:
5169,5239,5354,5189,5349,5325,5003,5350,6064,6061. Parties to submit FDA warning letter briefing at 5:00 p.m. on 3/25/2018. Brian Barry depositions designations withdrawn. Court will provide parties redline version of jury instructions to discuss on 3/27/2018 at 4:30 p.m. 4:31 Court in recess.

Jury trial continues on 3/26/2018 at 8:30 a.m.